

City of Hutto Peddlers, Solicitors, Mobile Street Vendor and Itinerant Vendor FAQ

Ordinance 4.02.001

1. **What is a “Peddler?”**

Means any person who engages in commercial activities within the City limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from door to door.

2. **What is a Solicitor?**

Means any person who solicits or attempts to solicit, from door to door, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time.

2. **What is an “Itinerant Vendor?”**

Means any person who exhibits, displays, sells or offers for sale any commodity from a stand located on public or private property or on the streets of the City of Hutto.

3. **What is a “Mobile Street Vendor?”**

Means persons who offer food or drink or other commodities for sale from a motor vehicle or any other conveyance in a public place.

4. **Is a permit required?**

Yes! It shall be unlawful for any person to engage in the business of itinerant vendor, peddler, solicitor or mobile street vendor within the city limits without having first obtained a permit. Permit application can be obtained on the city of Hutto web site, the Hutto Development Services office or the Hutto Police Department and the requirements are as follows:

- (a) Full name and all information contained on driver's license of the applicant and each agent or employee working under the permit;
- (b) Permanent home address and present local address of the applicant;
- (c) Name and home office address of applicant's employer;
- (d) If the applicant owns or uses a motor vehicle in connection with his business, a description of such motor vehicle and the license number of same;
- (e) A brief description of the merchandise or services to be sold;

- (f) Proposed duration of temporary sales operation;
- (g) Written permission of the owner of the land or building where the sales are to take place (itinerant vendor only); and
- (h) A copy of the applicant's Texas limited sales and use tax permit.
- (i) A copy of a Williamson County Cities and Health District food permit.
- (j) A copy of each persons computerized criminal history.

5. [Who is exempt from having to obtaining a Peddler/Solicitor permit?](#)

The following are excluded from permitting provisions:

- (1) Persons distributing nonprofit pamphlets, handbills, or other printed material for the purpose of disseminating news or other information of public interest;
- (2) Persons conducting fundraising activities for local nonprofit organizations, qualified civic organizations, or educational institutions;
- (3) Persons conducting proselytizing activities or distributing religious material or literature;
- (4) Persons engaged in a business or activity regulated under the exclusive authority of the state or federal government;
- (5) Persons engaged in business activity and going to a house or business at the express invitation of the occupant or owner of such house or business.
- (6) Canvassers who attempt only to distribute not for profit handbills or to solicit political support or to determine opinions or sentiments.

Persons who are exempt from the permitting requirements are encouraged to notify the City of the approximate dates of the door-to-door activities, and the areas in which they will be working.

6. [Who is exempt from having to obtaining an Itinerant Vendor/Mobile Street Vendor permit?](#)

- (1) Persons engaged in a business or activity which the state or federal government has exclusive authority to regulate.
- (2) Persons living in the city that hold a garage sale, in accordance with [article 4.05](#).

- (3) Persons engaged in business activity at the express invitation of the occupant or owner of such house or business.
- (4) Individuals, who are engaged in, belonging to, or member of, an entity of the Hutto Independent School District; a qualified civic organization; 501 c 3 nonprofit organization; or religious organization, as determined by the Chief of Police, for the express purpose of fundraising, when no other permits are required. Determination of Chief of Police may be appealed to the City Council if written notice is filed with the City Secretary within ten days of said determination.
- (5) Governmental entities.

7. What are the permit fees for a Peddler/Solicitor?

(1) All peddlers and solicitors not exempted by this ordinance shall pay a permit fee to the City of Hutto of \$25.00 for an individual or any group of individuals. The permit is valid for 30 days

8. What are the permit fees for an itinerant vendor/ mobile street vendor?

- (1) 14 day permit: \$25.00 fee
- (2) 30 day permit: \$35.00 fee
- (3) 90 day permit: \$75.00 fee
- (4) 180 day permit: \$100.00 fee

9. Where to I obtain a copy of my criminal history?

The Texas Department of Public Safety Driver License office.

10. Where to Obtain a Sales and Tax Use permit?

The Texas Comptroller of Public Accounts
<http://www.window.state.tx.us/taxinfo/sales/>

11. Where to I obtain a food vendor permit?

Williamson County and Cities Health District
<http://www.wcchd.org/index.php>

